



Docket No.: 250567US26

JFW

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SPIVAK
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ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/801,012

Applicants: Jun OZAWA, et al.

Filing Date: March 16, 2004

For: PROCESSED OBJECT PROCESSING APPARATUS,
PROCESSED OBJECT PROCESSING METHOD,
PRESSURE CONTROL METHOD, PROCESSED
OBJECT TRANSFER METHOD, AND TRANSFER
APPARATUS

Group Art Unit: 1763

Examiner: MOORE, KARLA A.

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION

Our credit card payment form in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


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DOCKET NO. 250567US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : :

JUN OZAWA ET AL.

:EXAMINER: MOORE, KARLA A.

SERIAL NO: 10/801,012

FILED: MARCH 16, 2004 :GROUP ART UNIT: 1763

FOR: PROCESSED OBJECT PROCESSING
APPARATUS, PROCESSED OBJECT PROCESSING ...

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

In response to the Election of Species Requirement dated May 1, 2006, Applicants provisionally elect with traverse Claims 1-5. Applicants make this election based on the understanding that the Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

In addition to making this election, Applicants respectfully traverse this Election of Species Requirement for the reason that MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

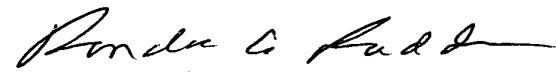
The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the Election of Species Requirement on the grounds that a search and examination of the entire application would not place a *serious*

burden on the Examiner, whereas it would clearly be burdensome on Applicants to be required to file, prosecute and maintain separate applications and patents on the identified.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-5 and 13-16 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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